

**REDEVELOPMENT AGENCY AGENDA**  
**REDEVELOPMENT AGENCY MEETING OF: FEBRUARY 16, 2005**

**- CALL TO ORDER**

**MINUTES:**

CALLED TO ORDER BY CHAIRMAN GOODMAN AT 1:19 P.M.

PRESENT: CHAIRMAN GOODMAN and MEMBERS REESE, BROWN, MACK, WEEKLY, WOLFSON, and TARKANIAN

ALSO PRESENT: DOUG SELBY, Executive Director, BRAD JERBIC, City Attorney, and BARBARA JO RONEMUS, Secretary

**- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW**

**MINUTES:**

ANNOUNCEMENT MADE: Posted as follows:

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge

Court Clerk's Office Bulletin Board, City Hall Plaza

Las Vegas Library, 833 Las Vegas Boulevard North

Clark County Government Center, 500 So. Grand Central Parkway

Grant Sawyer Building, 555 E. Washington Avenue

(1:19 - 1:20)

3-2665

**AGENDA SUMMARY PAGE**  
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**DEPARTMENT: BUSINESS DEVELOPMENT**

**DIRECTOR: SCOTT D. ADAMS**

☐ **CONSENT**    ☒ **DISCUSSION**

**SUBJECT:**

APPROVAL OF THE MINUTES BY REFERENCE FOR THE MEETING OF DECEMBER 1, 2004

**Fiscal Impact:**

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

**PURPOSE/BACKGROUND:**

**RECOMMENDATION:**

**BACKUP DOCUMENTATION:**

None

**MOTION:**

**REESE - APPROVED by Reference - UNANIMOUS**

**MINUTES:**

There was no discussion.

(1:20)

3-2674

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**DEPARTMENT: BUSINESS DEVELOPMENT**

**DIRECTOR: SCOTT D. ADAMS**

☐ **CONSENT**    ☒ **DISCUSSION**

**SUBJECT:**

DISCUSSION AND POSSIBLE ACTION TO RE-ALLOCATE \$500,000 FROM THE REDEVELOPMENT AGENCY SPECIAL REVENUE FUND TO FUND AN ENTERTAINMENT DISTRICT VISUAL IMPROVEMENT PROGRAM FOR THE REAL PROPERTIES LOCATED WITHIN THE DOWNTOWN ENTERTAINMENT OVERLAY DISTRICT - WARD 5 (WEEKLY)

**Fiscal Impact:**

<input type="checkbox"/>	<b>No Impact</b>	<b>Amount:</b>	\$500,000.00
<input checked="" type="checkbox"/>	<b>Budget Funds Available</b>	<b>Dept./Division:</b>	OBD/RDA
<input type="checkbox"/>	<b>Augmentation Required</b>	<b>Funding Source:</b>	Special Revenue Fund

**PURPOSE/BACKGROUND:**

The Redevelopment Agency desires to re-allocate \$500,000 from its Land Assembly account to fund an Entertainment District Visual Improvement Program. Through the Program, the Agency will offer a maximum of \$50,000 to a participating tavern-limited business for façade improvements, provided that such business would contribute a dollar-for-dollar match to the Agency's contribution. Applications will be taken on a first come, first-served basis. Sufficient funds are available for the allocation.

**RECOMMENDATION:**

Approval

**BACKUP DOCUMENTATION:**

Submitted at meeting under Citizens Participation: Tom McGowan's written comments

**MOTION:**

**WEEKLY - APPROVED as recommended - UNANIMOUS**

**MINUTES:**

SCOTT ADAMS, Director, Office of Business Development, went over the information under the Subject and Purpose/Background sections. Staff will come back to the Agency with an item regarding the final policies and procedures and how the funds will be made available. Staff recommends approval.

TOM MCGOWAN, Las Vegas resident, endorsed this matter and requested a copy of the VIP graphic and verbatim text applicable to the Entertainment Overlay District.

(1:20 - 1:21)

3-2690

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**DEPARTMENT: BUSINESS DEVELOPMENT**

**DIRECTOR: SCOTT D. ADAMS**

☐ **CONSENT**    ☒ **DISCUSSION**

**SUBJECT:**

DISCUSSION AND POSSIBLE ACTION REGARDING AN EXCLUSIVE NEGOTIATING AGREEMENT BETWEEN THE CITY OF LAS VEGAS, THE LAS VEGAS REDEVELOPMENT AGENCY, AND ALPHA OMEGA STRATEGIES, INC., FOR CERTAIN PROPERTIES LOCATED AT AND AROUND 1501 NORTH DECATUR, APNS 138-25-503-006, 138-25-515-000, AND 138-25-516-000 - WARD 1 (TARKANIAN) [NOTE: THIS IS A COMPANION ITEM TO CITY COUNCIL ITEM 72]

**Fiscal Impact:**

<input checked="" type="checkbox"/> <b>No Impact</b>	<b>Amount:</b>
<input type="checkbox"/> <b>Budget Funds Available</b>	<b>Dept./Division:</b>
<input type="checkbox"/> <b>Augmentation Required</b>	<b>Funding Source:</b>

**PURPOSE/BACKGROUND:**

The Redevelopment Agency staff has negotiated an Exclusive Negotiating Agreement (ENA) with Alpha Omega Strategies, Inc. that outlines the duties and responsibilities of all parties during the negotiation leading to a Purchase and Sales Agreement. The ENA allows up to 90 days to bring a Purchase and Sales Agreement for City Council and Redevelopment Agency Board approval.

**RECOMMENDATION:**

Approval

**BACKUP DOCUMENTATION:**

1. Agenda Memo
2. Exclusive Negotiating Agreement, including Disclosure of Principals
3. Location Map

**MOTION:**

**TARKANIAN - APPROVED - UNANIMOUS with MACK abstaining because his brother STEVEN MACK owns a nearby building that could be impacted by the size of this proposal**

**MINUTES:**

NOTE: A combined Verbatim Transcript of 2/16/2005 City Council Item 72 and 2/16/2005 Redevelopment Agency Item 3 is made a part of the Final Minutes for each item.

**APPEARANCES:**

OSCAR GOODMAN, Mayor  
MICHAEL McDONALD, Alpha Omega Strategies, Inc.  
MICHAEL MACK, Councilman  
SCOTT ADAMS, Director, Office of Business Development  
BRAD JERBIC, City Attorney  
LOIS TARKANIAN, Councilwoman  
GARY REESE, Councilman  
LAWRENCE WEEKLY, Councilman  
BARBARA JO RONEMUS, City Clerk  
TOM MCGOWAN, Las Vegas resident

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**MINUTES - Continued:**

NOTE: COUNCILWOMAN TARKANIAN requested the proceeds of the potential sale be dedicated to redevelopment projects in the same area.

(1:21 - 1:23)

3-2765

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**DEPARTMENT: BUSINESS DEVELOPMENT****DIRECTOR: SCOTT D. ADAMS**☐ **CONSENT**    ☒ **DISCUSSION****SUBJECT:**

DISCUSSION AND POSSIBLE ACTION REGARDING A THIRD AMENDMENT TO THE DISPOSITION AND DEVELOPMENT AGREEMENT ALLOWING 100 PERCENT OF THE UNITS IN THE L'OCTAINE URBAN APARTMENTS TO BE AFFORDABLE UNITS LOCATED AT THE SOUTHEAST CORNER OF LAS VEGAS BOULEVARD AND GASS STREET (APN 139-34-401-002) - WARD 5 (WEEKLY)

**Fiscal Impact:**☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

On May 16, 2001, the City of Las Vegas Redevelopment Agency entered into a Disposition and Development Agreement (DDA) with L'Octaine Limited Partnership for the sale and development of the parcel located at the southeast corner of Las Vegas Boulevard and Gass Avenue. The DDA required a mix of market rate and affordable units. The developer has requested that the requirement for market rate units be dropped from the DDA.

**RECOMMENDATION:**

Approval

**BACKUP DOCUMENTATION:**

1. Agenda Memo
2. Third Amendment to the DDA
3. Disclosure of Principals
4. Locator Map
5. Submitted at meeting under Citizens Participation: Tom McGowan's written comments

**MOTION:****WEEKLY - APPROVED as recommended - UNANIMOUS****MINUTES:**

SCOTT ADAMS, Director, Office of Business Development, indicated this item involves an amendment to the agreement to allow the L'Octaine project to become 100 percent affordable. The previous agreement provided 80 percent affordability. The amended agreement states that the apartment complex will have 51 affordable housing units. The amendment assists the developer in obtaining more tax credits for the additional 20 percent of the units to overcome the cost increases in construction of the project.

WILLIAM NEWBURN, Thom Hom Group, congratulated the Agency members on the success of all the residential development in the downtown area. CHAIRMAN GOODMAN commented that the Thom Hom Group was part of the beginning of that success.

TOM MCGOWAN, Las Vegas resident, questioned the average square footage of the units and the monthly rents. MR. NEWBURN answered that rents will run from \$550 to \$920, with the units ranging

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**MINUTES - Continued:**

from 425 to 1,200 square feet.

CHAIRMAN GOODMAN noted that he hopes the units will attract teachers with children and struggling artists. MR. NEWBURN indicated that he already met with representatives of the School District.

(1:23 - 1:28)

3-2866

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**DEPARTMENT: BUSINESS DEVELOPMENT**

**DIRECTOR: SCOTT D. ADAMS**

☐ **CONSENT**

☒ **DISCUSSION**

**SUBJECT:**

DISCUSSION AND POSSIBLE ACTION REGARDING AN AGREEMENT TO NEGOTIATE EXCLUSIVELY (ENA) WITH THE SIMAYOF GROUP PROPERTIES, LLC, REGARDING NEGOTIATION OF A DISPOSITION AND DEVELOPMENT AGREEMENT FOR THE REAL PROPERTIES LOCATED AT 501 SOUTH FOURTH STREET AND 500 LAS VEGAS BOULEVARD, APNS 139-34-303-002, 139-34-311-152 (RECEIPT OF \$100,000 EARNEST MONEY DEPOSIT) - WARD 1 (TARKANIAN)

**Fiscal Impact:**

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

**PURPOSE/BACKGROUND:**

The Redevelopment Agency (RDA) owns two parcels of land along Clark Street between Las Vegas Boulevard and 4th Street. The Simayof Group has acquired two neighboring parcels and would like the opportunity to negotiate for the purchase of the land owned by the RDA to create a larger site for a highrise residential project with parking and groundfloor retail.

**RECOMMENDATION:**

Approval

**BACKUP DOCUMENTATION:**

1. Agenda Memo
2. Agreement to Negotiate Exclusively
3. Disclosure of Principals
4. Site Map

**MOTION:**

**TARKANIAN - APPROVED as recommended - UNANIMOUS with GOODMAN abstaining because his son ROSS GOODMAN has an interest in parcel 525 and is in litigation over parcel 515 and WOLFSON abstaining because he owns property at the corner of 7th and Bonneville**

**NOTE: CHAIRMAN GOODMAN consulted with CITY ATTORNEY JERBIC as to whether he should abstain because his son ROSS GOODMAN has an interest in parcel 525 and is in litigation over parcel 515. CITY ATTORNEY JERBIC advised him that it would be hard to believe that this project will not have an impact on the property value of all those parcels in proximity. He opined that disclosure and abstention would be prudent.**

**NOTE: MEMBER WOLFSON also consulted with CITY ATTORNEY JERBIC as to whether he should abstain because he owns property at the corner of 7th and Bonneville. CITY ATTORNEY JERBIC advised that a formal rule has never been adopted with respect to the distance. The Code of Ethics included a mild requirement, but the current standard is to use common sense. He opined that if MEMBER WOLFSON felt this project will have a material impact on the value of his property, it would be prudent to disclose and abstain. MEMBER WOLFSON noted that there are many projects coming on line that will impact his property. In this case, he felt he had to**



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**MOTION - Continued:**

**abstain.**

**MINUTES:**

RICHARD BRYAN, 300 S. Fourth Street, ADI SIMAYOF, and ED VANS, JMA Architects, appeared on this matter. MR. BRYAN indicated that the Council members were briefed on this project. MR. VANS described the project with the use of a rendering. This project will front Fourth Street and will consist of retail on the ground level. The garage will have ten floors, with a podium level above that will include a spa and fitness center. The residential units will be constructed above the podium level, with penthouses on the 42nd floor.

SCOTT ADAMS, Director, Office of Business Development, added that this matter includes authorization to enter into an ENA for a period of six months. The value of the property is based on a recent appraisal. The Agency owns two properties, one on Fourth and another on Las Vegas Boulevard. The developer acquired two additional properties. All four properties will comprise the overall development site. An earnest money deposit of \$100,000 was submitted. Staff recommends approval.

(1:28 - 1:35)

3-3104

**AGENDA SUMMARY PAGE**

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CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE REDEVELOPMENT AGENCY. NO SUBJECT MAY BE ACTED UPON BY THE REDEVELOPMENT AGENCY UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

**MINUTES:**

TOM MCGOWAN, Las Vegas resident, submitted his written comments, a copy of which are made a part of the minutes, regarding community development and redevelopment. He noted that censorship is the first sign of a dictatorship.

LOTTIE HUNT thanked the Agency for its assistance with getting her power turned on.

JERRY NEAL, Marble Manor Resident Council, indicated he noticed there was an item on the Housing Authority Board meeting to take money from affordable housing for roof repairs of the Arturo Cambeiro Senior Center. This is a good thing. But he does not want the Housing Authority making expenditures on many programs while neglecting occupied properties. He then showed pictures, which were not submitted, of the mold conditions in some of the family units at Marble Manor, which the Housing Authority is neglecting. He urged the Agency to intervene in this situation.

BEATRICE TURNER, West Las Vegas resident, said she just became aware that the City owns the property MICHAEL McDONALD intends to redevelop. That property is in very bad condition, and the City should clean it up. She then questioned the difference between the high-rise to be developed under Item 5 and the one that was to be erected at the corner of Martin Luther King Boulevard and Alta Drive. She noted that JERRY NEAL brings up a lot of issues with the Housing Authority and expressed concern about the intentions of the Housing Authority with several properties that are located on Walnut.

BARBARA FRANKLIN, out-of-state property owner at 1499 N. Lamb Boulevard, complained about the graffiti problem in this community. She has sought the assistance of several agencies, the City, and the police department, who informed her that they have more serious crimes to patrol. She noted that graffiti "taggers" are not prosecuted and only fined because of their ages and because graffiti is not considered a crime. She said she expects the lawmakers and police to work together and protect the citizens. MEMBER REESE indicated that KELLY BENAVIDEZ, who was in the audience, would speak with her about her concerns.

(1:35 - 1:45)

3-3499

THE MEETING ADJOURNED AT 1:45 P.M.

Respectfully submitted:



**REDEVELOPMENT AGENCY MEETING OF: FEBRUARY 16, 2005**

**MINUTES - Continued:**

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GABRIELA PORTILLO-BRENNER, DEPUTY CITY CLERK  
May 6, 2005

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Barbara Jo Ronemus, Secretary

(Tom/CRDA Mtg. [GA Wed. 16 Feb., '05 (Cvel, CHMB) (CH: May 06)

[Pub Comment -

<(15")>

[Item #2. Tom McGowan, Las Vegas Resident.

I RECOMMEND YOU APPROVE THE ITEM, AND I REQUEST A COPY OF THE 'VIP' GRAPHIC AND VERBATIM TEXT APPLICABLE TO THE DOWNTOWN ENTERTAINMENT OVERLAP DISTRICT.

THANK YOU.

[Item #4. Tom McGowan, Las Vegas Resident.

<(20")>

WHAT'S THE SQUARE FOOT AREA AND THE AMOUNT OF MONTHLY RENT OF THE AFFORDABLE HOUSING UNITS IN THE L'OCTANE URBAN APARTMENTS? ~ AS A RESIDENT OF THE ARTS DISTRICT IN WARD I, I MAY DECIDE TO APPLY FOR RESIDENCY AT THE AFFORDABLE L'OCTANE URBAN APARTMENTS, IF THEY'RE ACCEPTABLE AND AVAILABLE.

THANK YOU.

[C.F. Practice]

TOM MCGOWAN, LAS VEGAS RESIDENT. ~ COMMUNITY DEVELOPMENT AND REDEVELOPMENT WORKS BEST AND SERVES THE PUBLIC INTEREST ONLY IF IT'S CONSCIENTIOUSLY MASTER-PLANNED AS A COMPREHENSIVELY INTEGRALIZED AND BROADLY-BASED AS DIVERSE COMMUNITY - INCLUSIVE 'HOLISTIC' PROCESS, ONGOING IN CONTINUUM. ~ IN RELEVANT SITUATIONS: -- PUBLIC CENSORSHIP IS THE FIRST SIGN OF DICTATORSHIP, AND, HISTORICALLY, DICTATORSHIPS EITHER FAIL OF THEIR OWN FAULTS AND SELF-SERVING GREED, OR ARE DESTROYED, WITH FULL PREJUDICE

THANK YOU